

5<sup>th</sup> Judicial Circuit  
Leake County, Fla.

Jay-Mar Holdings, LLC, et al

vs.

Case No: 2008-CA-003740

City of Leesburg

Mediated Settlement Agreement

At a mediation conference held in Orlando, Fla on Jan 16, 2009 The parties agreed as follows:

1. Subject to and conditioned upon approval by the City Commission for the City of Leesburg at its Feb 9, 2009 meeting:
  - a. Defendant pays plaintiff \$275,000 in full, and final payment of all claims for compensation, including any claims for attorney's fees, expert's fees, <sup>and</sup> court costs.
  - b. Payment shall be made within 7 days of <sup>said</sup> approval.
  - c. In exchange for and at the time of payment plaintiff shall execute and deliver easements as described in the attached. The easements will allow for paving and parking cars and require Leesburg to restore in case of repairs to the marked lines.
  - d. Upon payment in full and delivery of the easements the parties shall, by joint stipulation dismiss all claims and counterclaims with prejudice.

By: [Signature] MANAGING MEMBER  
JAY-MAR HOLDINGS, LLC

[Signature]  
TASON BAAS

COUNSEL

By: [Signature]  
CITY OF LEEBURG

[Signature]  
COUNSEL

## EXHIBIT "A"

### DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AND BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2641, PAGE 1625 THRU 1656 OF SAID PUBLIC RECORDS OF LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### O. R. BOOK 2641, PAGE 1625 THRU 1656:

COMMENCING AT THE SOUTHWEST CORNER SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AND PROCEED SOUTH 89°36'10" EAST, WITH THE SOUTH LINE OF SAID SECTION A DISTANCE OF 57.52 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27; THENCE NORTH 00°22'45" EAST WITH SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 420.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°22'45" EAST WITH SAID RIGHT-OF-WAY LINE A DISTANCE OF 200.0 FEET; THENCE SOUTH 89°37'15" EAST A DISTANCE OF 367.20 FEET; THENCE SOUTH 00°47'45" WEST A DISTANCE OF 200.01 FEET; THENCE NORTH 89°37'15" WEST A DISTANCE OF 365.74 FEET TO THE POINT OF BEGINNING. THE ABOVE PROPERTY SUBJECT TO A STATE OF FLORIDA DRAINAGE EASEMENT.

### EASEMENT:

COMMENCING AT THE SOUTHWEST CORNER SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE RUN SOUTH 89°36'10" EAST, ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 57.52 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27; THENCE RUN NORTH 00°22'45" EAST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 420.50 FEET; THENCE CONTINUE NORTH 00°22'45" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 200.00 FEET; THENCE RUN SOUTH 89°37'15" EAST ALONG THE NORTHERLY LINE OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF 229.00 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT; THENCE CONTINUE SOUTH 89°37'15" EAST A DISTANCE OF 138.20 FEET TO THE NORTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL: THENCE RUN SOUTH 00°47'45" WEST A DISTANCE OF 49.00 FEET; THENCE RUN NORTH 89°37'15" WEST, A DISTANCE OF 61.49 FEET; THENCE RUN SOUTH 02°04'45" EAST TO THE SOUTHERLY LINE OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF 151.14 FEET; THENCE RUN NORTH 89°37'15" WEST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 25.02 FEET; THENCE RUN NORTH 02°04'45" WEST, A DISTANCE OF 95.09 FEET; THENCE RUN NORTH 89°37'15" WEST, A DISTANCE OF 54.50 FEET; THENCE RUN NORTH 00°47'45" EAST, A DISTANCE OF 105.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS AN AREA OF 13,523.233 SQUARE FEET OR 0.310 ACRE, MORE OR LESS

## GENERAL NOTES

- 1: This is NOT A BOUNDARY SURVEY.
- 2: This sketch is to show existing site information and improvements for the sole purpose of conceptual design.
- 3: This sketch was prepared for the City of Leesburg and its assign's as there interests may appear. Use of this sketch by any other parties is Strictly forbidden.
- 4: Use of this sketch shown on sheet 2 for any other purpose than that stated in note (2) is the sole responsibility of the user. The City of Leesburg assumes no liability for the misuse of this information.
- 5: All information outside the labeled limits of this site is for general reference purposes only. Assumption of correctness outside of said site boundary is the liability of the user.
- 6: The Bearings, shown hereon, are relative to assumed datum and are based on the South line of the Southwest quarter, section 16, Township 19 South, Range 24 East, Lake County, Florida, as being "S.89°36'10" E..
- 7: This sketch was prepared by the City of Leesburg, Public works Department, Survey Division, under the direction of Edward Smyth, Deputy City Manager. for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 26-19-24



**CITY OF LEESBURG**  
PUBLIC WORKS DEPT.  
ENGINEERING DIVISION  
550 S. 14th ST. - P.O. BOX 490630  
LEESBURG, FLORIDA 34749  
PHONE (352) 728-9755  
FAX (352) 728-9758

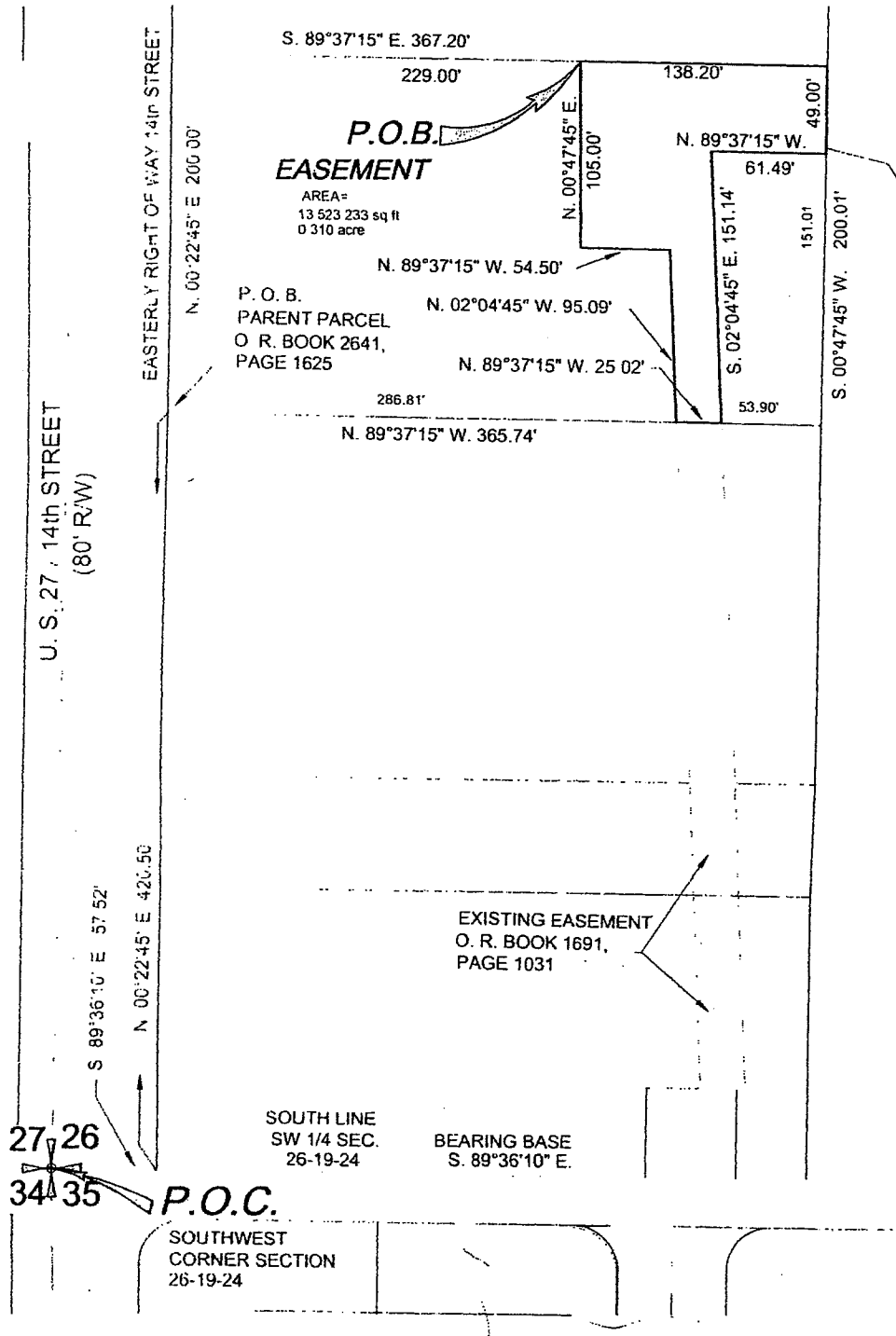
**SKETCH of DESCRIPTION**  
**UTILITY EASEMENT**  
**JAY-MAR HOLDINGS, LLC.**  
**CITY OF LEESBURG**

DATE: 2/28/2008  
DRAWN: DDF  
CHECKED: DDF  
APPROVED: AP  
SCALE: N/A  
FILE NO.: EA08002

SHEET  
NUMBER  
1  
OF  
2

# EXHIBIT "A"

## SKETCH of DESCRIPTION



### LEGEND

- C/L - CENTERLINE
- CR - COUNTY ROAD
- COR - CORNER
- R/W - RIGHT-OF-WAY
- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- SEC. - SECTION

SECTION 26-19-24



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A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AND BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1755, PAGE 2214 THRU 2216 OF SAID PUBLIC RECORDS OF LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### O. R. BOOK 1755, PAGE 2214 THRU 2216:

COMMENCE AT THE SOUTHWEST CORNER SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AND RUN SOUTH 89°36'10" EAST, ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 57.52 FEET TO THE EASTERLY RIGHT-OF-WAY OF 14th STREET; THENCE NORTH 00°22'45" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 14th STREET, 220.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING, CONTINUE NORTH 00°22'45" EAST ALONG SAID RIGHT-OF-WAY LINE 200.00 FEET; THENCE RUN SOUTH 89°37'15" EAST A DISTANCE OF 365.74 FEET; THENCE SOUTH 00°47'45" WEST, 200.00 FEET; THENCE NORTH 89°37'15" WEST, 364.28 FEET TO THE POINT OF BEGINNING. THE ABOVE PROPERTY SUBJECT TO A STATE OF FLORIDA DRAINAGE EASEMENT.

### EASEMENT:

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THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS AN AREA OF 5,004.606 SQUARE FEET OR 0.115 ACRE, MORE OR LESS

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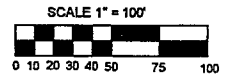
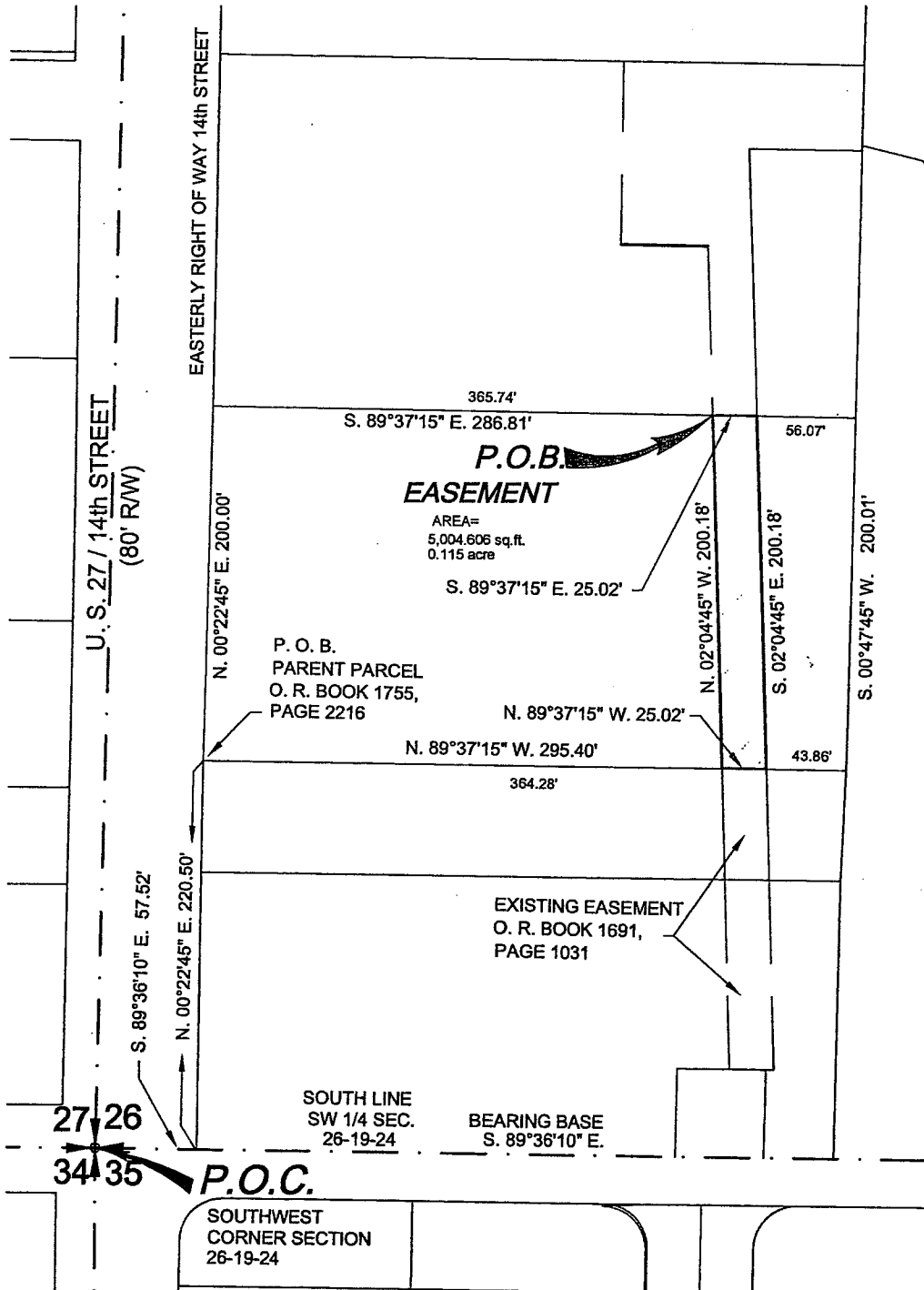
UTILITY EASEMENT  
JASON D. BAAS  
CITY OF LEESBURG

DATE: 2/28/2008  
DRAWN: DDF  
CHECKED: DDF  
APPROVED: AP  
SCALE: N/A  
FILE NO.: EA08003

SHEET  
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1  
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2

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**JASON D. BAAS**  
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 2  
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